

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, et al.,

Plaintiff

v.

CAPE JASMINE CT TRUST, et al.,

Defendants

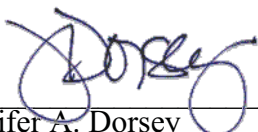
Case No. 2:16-cv-00248-JAD-GWF

**Order Discharging Obligations under the
Order to Show Cause Why this Case
Should Not Be Dismissed for Want of
Subject-matter Jurisdiction**

Questioning the sufficiency of the citizenship allegations in the complaint, I ordered plaintiff to show cause why this case should not be dismissed for want of subject-matter jurisdiction. ECF No. 12. Plaintiff timely responded. *See* ECF No.13. Although plaintiff's response did not demonstrate to my satisfaction a basis for finding subject-matter jurisdiction, my closer review of the complaint reveals that plaintiff is challenging the constitutionality of NRS Chapter 116 and has thus presented a federal question on the face of the properly pleaded complaint that gives this court jurisdiction to hear this case. *See Hall v. N. Am. Van Lines, Inc*, 476 F.3d 683, 687 (9th Cir. 2007) ("The presence or absence of federal-question jurisdiction is governed by the 'well-pleaded complaint rule,' which provides that federal jurisdiction exists only when a federal question is presented on the face of the plaintiff's properly pleaded complaint."); ECF No.1 at 7–8.

Accordingly, with good cause appearing, IT IS HEREBY ORDERED that plaintiff's obligations under the order to show cause [ECF No. 12] are deemed to have been discharged.

Dated: April 20, 2016.



Jennifer A. Dorsey
United States District Judge